



## Acceptable Use Policy

September 2006

This Acceptable Use Policy specifies the actions prohibited by Advanza Systems, Inc. (Advanza) to users of the Advanza IP Network. Advanza reserves the right to modify the Policy at any time, effective upon posting of the modified Policy to this URL: <http://www.advanzasystems.com/policies.php>.

### **Illegal use**

The Advanza IP Network may be used for lawful purposes only. Transmission, distribution or storage of any material in violation of any applicable law or regulation is prohibited. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorization, and material that is considered obscene, defamatory, constitutes an illegal threat, or violates export control laws.

### **System and network security**

Violations of system or network security are prohibited, and may result in criminal and civil liability. Advanza will investigate incidents involving such violations and may involve and will cooperate with law enforcement if a criminal violation is suspected. Examples of system or network security violations include, without limitation:

- Unauthorized access to or use of data, systems or networks, including any attempt to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without express authorization of the owner of the system or network.
- Unauthorized monitoring of data or traffic on any network or system without express authorization of the owner of the system or network.
- Interference with Service to any user, host or network including, without limitation, mailbombing, flooding, deliberate attempts to overload a system, broadcast attacks and other denial of service attacks.
- Forging of any TCP-IP packet header or any part of the header information in an email or a newsgroup posting.

### **Email**

Sending unsolicited mail messages, including, without limitation, commercial advertising and informational announcements, is explicitly prohibited (commonly known as "SPAMMING"). A user shall not use another site's mail server to relay mail without the express permission of the site.

### **Usenet**

Posting the same or similar message to one or more newsgroups (excessive cross-posting or multiple-posting, also known as "SPAM") is explicitly prohibited.

INDIRECT OR ATTEMPTED VIOLATIONS OF THE POLICY, AND ACTUAL OR ATTEMPTED VIOLATIONS BY A THIRD PARTY ON BEHALF OF AN ADVANZA CUSTOMER OR A CUSTOMER'S END USER, SHALL BE CONSIDERED VIOLATIONS OF THE POLICY BY SUCH CUSTOMER OR END USER.

**Suspension, Termination.** Any User which Advanza determines to have violated any element of this AUP may be subject to immediate suspension or termination of service. Advanza will attempt to notify Customer prior to suspending service for a violation (which may be via email or any other notification); however, Advanza may suspend service without notice if a violation of any applicable law or regulation or activity, including but not limited to a violation of the AUP, that exposes Advanza to criminal or civil liability or that exposes the Advanza IP network to harm. Such harm to a network may include, but is not limited to, the risk of having an IP address placed on blacklists or any degradation of service or network performance. Advanza may take further action as Advanza determines to be appropriate under the circumstances to eliminate or preclude repeat violations, and Advanza shall not be liable for any damages of any nature suffered by any Customer, User, or any third party resulting in whole or in part from Advanza's exercise of its rights under this AUP.